

# **Exhibit 25**

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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**BLACK LOVE RESISTS IN THE RUST, et al.,**  
**individually and on behalf of a class of**  
**all others similarly situated,**

Plaintiffs,

vs.

1:18-cv-00719-CCR

**CITY OF BUFFALO, N.Y., et al.,**

Defendants.  
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**ORAL EXAMINATION OF ROBBIN THOMAS**

**APPEARING REMOTELY FROM**

**BUFFALO, NEW YORK**

Thursday, March 23, 2023

10:07 a.m. - 5:26 p.m.

pursuant to notice

REPORTED BY:

Luanne K. Howe

APPEARING REMOTELY FROM CUYAHOGA COUNTY, OHIO

DEPAOLO CROSBY REPORTING SERVICES, INC.  
716-853-5544

R E M O T E   A P P E A R A N C E S

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1 a response until the following day when we came in  
2 for our next tour.

3 Q Did the supervisor ever express to you it was an  
4 issue that you had trouble writing a summons because  
5 of some equipment problem?

6 A No.

7 Q I'd like to talk a little bit more about overtime,  
8 which we touched on before. Did a supervisor while  
9 on Strike Force ever tell you that overtime shifts  
10 were being scheduled in order to generate revenue for  
11 the BPD?

12 A No.

13 Q Did you ever hear that while you were on the Strike  
14 Force?

15 A No.

16 Q And did a supervisor ever tell you that overtime  
17 shifts were scheduled in order to increase the number  
18 of tickets being issued by Strike Force?

19 A No.

20 Q And did you ever hear that while you were on the  
21 Strike Force?

22 A That overtime was being --

23 Q Did you ever hear that overtime shifts were being

1 scheduled in order to increase the number of tickets  
2 that were issued by Strike Force?

3 A No.

4 Q And did a supervising officer ever tell you that more  
5 overtime shifts would be available if Strike Force  
6 officers issued a higher number of summonses?

7 A Never.

8 Q And did a supervising officer ever tell you that  
9 overtime shifts might be available if Strike Force  
10 officers impounded a higher number of vehicles?

11 A I apologize for laughing, but I kind of find these  
12 questions comical. I'm sorry, but no, no.

13 Q I'm going to go ahead and bring up a document. It's  
14 a document we've already looked at. This is an email  
15 from Philip Serafini. We've seen this before. Can  
16 you see that on my screen?

17 A Yes.

18 Q This is Exhibit 2. In it, we have an area where --  
19 I'll point it out to you for a second. "DPC Lockwood  
20 wants results with this increased Daytime Detail."  
21 In the second paragraph right here, this first  
22 sentence, do you see this? (Indicating.)

23 A Yes.

1 Q What do you understand "results" to mean in this  
2 context?

3 A Well, looking at the date, I can't tell you now what  
4 the climate was within the city to know what we would  
5 have been looking at because if it was a high number  
6 of shootings or if there was -- if there was a high  
7 number of homicides or what specific activity we were  
8 looking at, but any overtime, as I'm looking here for  
9 these hours, those would have been four-hour blocks  
10 of overtime prior to the start of the actual tour of  
11 duty where officers were, I guess, called in to try  
12 and address some of these -- some of these activities  
13 of criminal situations that were kind of just getting  
14 out of hand in the city.

15 Q And while you were on the Strike Force, did you often  
16 hear of this phrase "results" from your supervisors?

17 A It doesn't sound familiar to me, no.

18 Q Did you hear the term "productivity" from your  
19 supervisors?

20 A No.

21 Q Were you ever asked by your supervisors for increased  
22 results?

23 A No, not at all.

1 Q Or for increased productivity?

2 A No.

3 Q Were you ever -- strike that.

4 How was your performance measured while on  
5 Strike Force?

6 A When you say my performance, you mean --

7 Q Sure. At the end of a shift, how did your  
8 supervisors determine if you had a successful shift?

9 A I came back alive and unharmed.

10 Q And were there any other considerations in terms of  
11 whether a shift was successful?

12 A Perhaps if we caught, you know, a major wanted  
13 suspect, but no, nothing other than that.

14 Q How did you understand if the unit was having its  
15 intended effect in the city?

16 A No. Because there was just so much in the city that  
17 we were not able to address and there was -- there  
18 weren't enough hours in the day to be able to prevent  
19 all of the criminal activity that was occurring.

20 Q And we talked earlier about how that criminal  
21 activity included guns, crime and gangs?

22 A That is correct.

23 Q So how did the supervisors determine if you were

1 A You said whether a hearing was required?

2 Q Whether appearing at one of those hearings was  
3 required.

4 MR. SAHASRABUDHE: Form.

5 A No. Officers are notified that they have a court  
6 appearance. An officer either appears or they don't  
7 appear.

8 Q And if they don't appear, is an officer reprimanded  
9 for not appearing?

10 MR. SAHASRABUDHE: Form.

11 A I'm not -- I don't know if an officer is actually  
12 reprimanded. I don't know if there are reprimands  
13 for an officer not appearing in court. I know that  
14 there have been messages, departmentwide messages  
15 advising officers to appear in court when they are  
16 scheduled. But other than that, I'm not familiar  
17 with anything else.

18 Q I'm going to bring up one document here. Are you  
19 able to see this PDF?

20 A Yes.

21 Q That will be Exhibit 6. This is a document which  
22 bears Bates numbers Evans-00000002 through  
23 Evans-00000005. Do you recognize this document?



1 A I know what it is, yes.

2 Q What is it?

3 A It is a Uniform Traffic Ticket.

4 Q And you recognize this based on your experience in  
5 the BPD; is that correct?

6 A That's correct.

7 Q Okay. Can you see the name here, the last name and  
8 first name on here, Evans and Jasmine?

9 A I do.

10 Q Okay. I'm scrolling down a bit towards the middle of  
11 the document. Do you see "Radar Operator Name,  
12 Thomas, R"?

13 A It's small, so I don't know if it says radar. It  
14 might have a slash because I'm not a radar operator.

15 Q Is that helpful? Is that a little bigger for you?

16 A Yes.

17 Q Okay. Is this box where the officer's name who  
18 issued the summons would be located?

19 A Yes.

20 Q Do you recall issuing this summons?

21 A Well, I know this is my signature and this is a  
22 summons issued by me with my personal information.  
23 But remembering having issued the summons, no.

1 Q Okay. Thank you. So there's four of these tickets  
2 here. The first one we just looked at is a  
3 lap/shoulder violation ticket?

4 A Right.

5 Q This next one is a back seat passenger less than  
6 four, improper restraint. Do you also see your name  
7 and signature here?

8 A Yes.

9 Q This third ticket right here also issued to Jasmine  
10 Evans for the same reason, back seat passenger age  
11 four to seven, no or improper restraint, do you also  
12 see your name and signature information here?

13 A Yes, I do.

14 Q And the final one also issued to Jasmine Evans for an  
15 unlicensed operator permit, do you also see your name  
16 and information here?

17 A Yes.

18 Q Do you have any reason to believe that you did not  
19 issue these tickets?

20 A No.

21 Q Okay. So we talked a bit earlier about the Strike  
22 Force and Housing Unit. And while you were on the  
23 Strike Force, did they regularly work together?

1 STATE OF OHIO )

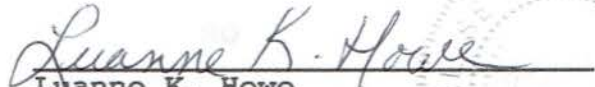
2 COUNTY OF CUYAHOGA )

3 I, Luanne K. Howe, Notary Public, in and for the  
4 County of Cuyahoga, State of Ohio, do hereby certify:

5 That the witness whose testimony appears  
6 hereinbefore was, before the commencement of his testimony,  
7 duly sworn to testify the truth, the whole truth and nothing  
8 but the truth; that said testimony was taken remotely  
9 pursuant to notice at the time and place as herein set  
10 forth; that said testimony was taken down by me and  
11 thereafter transcribed into typewriting, and I hereby  
12 certify the foregoing transcript is a full, true and correct  
13 transcription of my shorthand notes so taken.

14 I further certify that I am neither counsel for  
15 nor related to any party to said action, nor in any way  
16 interested in the outcome thereof.

17 IN WITNESS WHEREOF, I have hereunto subscribed my  
18 name and affixed my seal this 29th day of March, 2023.

19  
20   
21 Luanne K. Howe  
22 Notary Public - State of Ohio

23 My commission expires 10-07-24